

REMARKS

Claims 104-109, 115, and 120-135 are pending in this application, of which claims 104-109 are withdrawn from consideration. Claims 115, 124, 126 and 132 are amended. Reconsideration of the application in view of the following remarks is respectfully requested.

I. THE CLAIMS ARE PATENTABLE OVER STEVENS IN VIEW OF GROSS

Claims 115, and 120-135 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,885,238 to Stevens, *et al.* (hereinafter "Stevens") in view of U.S. Patent No. 5,407,434 to Gross (hereinafter "Gross"). Applicants respectfully traverse this rejection.

The independent claims are directed to a method and introducer sheath system for repairing an aneurysm in a vessel using at least two introducer sheath devices. As described in the publication of the present application (U.S. Patent Publication No. 2002/0007193) at paragraphs [0155] through [0161], exemplary embodiments of the invention recited in the subject claims include the feature of "introducer" sheath devices. Introducer sheath devices create a protective passageway through the vessel through which the graft and repair devices are inserted. That is, the introducer sheath devices protect the arteries from damage that may occur when the repair apparatus and other device are passed through the tortuous artery passageways during a surgical procedure.

Taken alone or in combination, neither Stevens nor Gross disclose or suggest the claimed subject matter of the present invention. Although Stevens is directed generally to devices and methods for performing cardiovascular procedures, Stevens

does not disclose a device or method that uses a plurality, for example, at least two, of introducer sheaths as in the present invention. In Stevens, only catheter 10, as shown in Figure 6, would perhaps be considered an “introducer” sheath due to its contact with an artery or vessel. Use of a plurality of introducer sheaths as in the present invention allows for one introducer sheath device to extend from either an axillary incision or a brachial incision to the proximal neck of a vessel, while another introducer sheath device may extend from a femoral incision to the distal neck of the vessel or common iliac/distal aorta transition. As such, for example, the introducer sheath device that extends through the axillary artery may have a smaller size in the range between 9-12 Fr. and is able to navigate the narrower arteriotomy/distal aorta passageway.

Further, Gross does not teach the subject matter of the present invention. Gross suggests only a single thoracentesis device 10 that includes an elongated flexible catheter 14 having a leading end 16 formed with one or more radial ports or openings 18 which allow for fluid or air communication with the body cavity to which the leading end is inserted” and its method of use (see Gross, col. 2, lines 42-47; col. 5, lines 10-31). Again, perhaps only catheter 14 would be considered in a broad interpretation as a “introducer” device. A plurality of introducer devices are not used.

For at least the reasons set forth above, Applicants respectfully submit that Stevens and Gross, taken alone or in combination, fail to disclose, teach or suggest the invention claimed by Applicants. Reconsideration and withdrawal of the rejections are respectfully requested.

II. CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims of the present invention define subject matter patentable over the references cited by the Office and that the application is in condition for allowance. Should the Office believe that anything further is desirable to place the application in better condition for allowance, the Office is invited to contact Applicants' undersigned attorney at the below listed telephone number.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to deposit account number 03-2469. Moreover, if the deposit account contains insufficient funds, the Commissioner is hereby invited to contact Applicant's undersigned representative to arrange payment.

Respectfully submitted,

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